

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ALEXANDER MASHINSKY,

Defendant.

Case No. 23 Cr. 347 (JGK)

**DECLARATION OF MICHAEL F. WESTFAL IN SUPPORT OF  
DEFENDANT ALEXANDER MASHINSKY'S MOTIONS *IN LIMINE***

Pursuant to 28 U.S.C. § 1746, I, Michael F. Westfal, declare as follows:

1. I am an attorney admitted to practice before this Court and counsel with the law firm Mukasey Young LLP.

2. I am a counsel of record for Defendant Alexander Mashinsky in the above-captioned action.

3. I submit this declaration in support of Mr. Mashinsky's motions *in limine*. The exhibits cited in this declaration have been filed under seal pursuant to the Court's August 9, 2023 protective order, ECF No. 22.

4. Attached as Exhibit 1 is a December 11, 2021 email stamped as SDNY\_R01\_02954166.

5. Attached as Exhibit 2 is an April 12, 2022 email stamped as SDNY\_R02\_00462429.

6. Attached as Exhibit 3 is a March 21, 2021 email stamped as SDNY\_R01\_01937963.

7. Attached as Exhibit 4 is an April 9, 2021 email stamped as SDNY\_R01\_01864468.

8. Attached as Exhibit 5 is an excerpt of a WhatsApp conversation produced in discovery.
9. Attached as Exhibit 6 are excerpts of a WhatsApp conversation produced in discovery.
10. Attached as Exhibit 7 is a document stamped as SDNY\_R01\_00079935.
11. Attached as Exhibit 8 is an August 31, 2021 email stamped as SDNY\_R01\_03028486.
12. Attached as Exhibit 9 is a March 23, 2022 email stamped as SDNY\_R01\_01752802.
13. Attached as Exhibit 10 is a March 17, 2022 WhatsApp communication stamped as SDNY\_R01\_00682124.
14. Attached as Exhibit 11 is a document stamped as SDNY\_R01\_03434386.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
October 11, 2024

/s/ Michael F. Westfal  
Michael F. Westfal

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